

ORDINANCE NO. 2053

AN ORDINANCE REPEALING CERTAIN SECTIONS OF ARTICLE 1 AND ARTICLE 13 OF CHAPTER IV AND ESTABLISHING ARTICLE 14 OF CHAPTER IV ALL OF THE CITY CODE, 2010, OF THE CITY OF AUGUSTA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF AUGUSTA, KANSAS, AS FOLLOWS:

SECTION 1. The following sections of the International Property Maintenance Code, 2003 Edition, adopted as Article 13 of Chapter IV of the City Code, 2010, of the City of Augusta, Kansas, are hereby repealed: subsections 105.1.3, 105.1.3.1, 105.1.3.2, 105.1.3.3, all of Appendix K, all of sections 1007, 1008, 1008.3.1, and 1008.5.4.

SECTION 2. The following sections of Article 1 of Chapter IV of the City Code, 2010, of the City of Augusta, Kansas shall be repealed: 4-101(b), 4-101(c), 4-103 and Appendix K.

SECTION 3. The following Sections and Appendices shall become Article 14 of Chapter IV of the City Code, 2010, of the City of Augusta, Kansas:

ARTICLE 14 Designated Main Street Area

14-101. **DESIGNATED MAIN STREET AREA.** The designated Main Street area shall be encompassed by the following boundaries: on the north by the old railroad right of way; on the south by Second Avenue; on the west by the north-south alley between Walnut Street and State Street; and on the east by School Street.

14-102. **PERMIT FOR WORK WITHIN MAIN STREET AREA.** Any application for a building permit for work within the designated Main Street area shall contain a detailed scope of work showing all proposed alterations and changes. Upon receipt of such an application, the Building Official shall submit the application to the Main Street Design Committee of the City for review.

14-103. **REVIEW OF APPLICATION.** The Main Street Design Committee shall review the application to determine if the proposed work complies with the building code regulations which apply to the Main Street area. Within fifteen days of the receipt of said application, the committee shall submit to the Building Official a written summary of their review containing their proposed changes and alterations of the scope of work, if any. The committee shall have the discretion and authority to work with the property owners to develop a plan that meets the intent and is within the parameters of the building code regulations for the Main Street Area. The scope of work within the application shall be amended by the applicant to comply with the written summary of the Main Street Design Committee.

14-104. **ISSUANCE OF PERMIT.** The building permit may be issued only after the Building Official finds the scope of work complies with the recommendations of the Main Street Design Committee.

- 14-105. **NEW CONSTRUCTION.** It is intended that the following sections shall set forth design principles for all new construction of buildings and structures of any kind within the designated Main Street area. New buildings and additions to existing buildings, shall be compatible with and promote the historic character of Main Street area. Creativity in design is encouraged so long as it is compatible with the overall design goals of the area. The replication of historic styles, typical for the relative time period of surrounding buildings, is permitted. Interpretations of traditional building of the same era of surrounding buildings, which are similar in scale and overall character, are acceptable
- 14-106. **SITE PLAN.** All new construction shall orient the new building on the lot so that the walls of the building are parallel to the lot lines and the front façade of the building faces the street in a manner similar to historic pattern in this area. In addition, the alignment of the front façade shall be on the front lot line as was the practice historically.
- 14-107. **MASS AND SCALE.** New construction shall appear similar in mass and scale to historic structures found in the designated area. Floor-to-floor heights, especially the first floor height, shall appear to be similar to those seen historically in the block, as seen from the exterior.
- 14-108. **ROOF SHAPE.** The roof of a new building shall be visually compatible and not contrast greatly with the room shape and orientation of surrounding building.
- 14-109. **WINDOWS.** Upper story windows with vertical emphasis are required. Preference is for windows to be trimmed with painted wood or other historically compatible material. Modern materials may be substituted that replicate compatible historical styles. This trim shall have a dimension similar to that used historically. Window dimensions that are similar to those used traditionally are required. If they are used, the dividing frame elements, or muntins, in a window should be similar in dimension to those used traditionally. Snap-in muntins, used on both sides of the glass may be considered also. Muntins located between two panes of glass shall not be permitted.
- 14-110. **ENTRANCES.** New building entrances shall have a similar appearance to those seen historically in the designated area and shall be in scale with the overall façade. The primary entrance shall face the street. Contemporary interpretations of historic building entrances are acceptable, provided they maintain a similar scale and character as historic buildings. Doors should be trimmed with wood or painted metal. The trim shall be of a dimension similar to that used historically.
- 14-111. **LOADING DOCKS AND DOORS.** New construction shall incorporate loading docks of a design similar to those of traditional and historic design. Openings from the docks shall be similar in size and depth to loading docks seen in the designated area. Contemporary interpretations of loading dock doors which are similar in scale and character as those seen in the area are acceptable.
- 14-112. **MATERIALS.** Simple material finishes are mandatory and matte finishes are preferred. Materials shall appear similar to those used historically and traditional materials are mandatory. New, state-of-the-art materials may be considered for limited applications. New materials shall have a demonstrated durability in this environment.

- 14-113. SOLID-TO-VOID RATIO. The ratio of window-to-wall shall be similar to that seen traditionally on commercial storefront buildings in the area.
- 14-114. ALIGNMENT OF FAÇADE ELEMENTS. New buildings shall maintain the alignment of horizontal elements along the block, including building cornices. Window sills, moldings and cornices are among those elements that may be seen to align.
- 14-115. SIGNS. Historically, signs used in the designated Main Street area were relatively simple. They varied in size and location, but most were basic painted panels with simple lettering types. Others were painted directly on the building wall. If it was illuminated, an indirect light source was typical. It is preferred that these features of sign design be continued.
- 14-116. SIGN CONTEXT. Sign design should consider the building front as a part of overall sign design and integrate façade composition into the sign. Signs should be proportionate to the building so as not to dominate the appearance of the building. Signs should be mounted to fit within existing architectural features and be in scale with façade of the building.
- 14-117. PERMITTED SIGNS. The types of signs allowed in the designated Main Street area are as follows:
1. flush mounted
 2. pole mounted/monument
 3. projecting
 4. window
 5. directory
- 14-118. FLUSH MOUNTED SIGNS. Such signs shall project no more than 5" (sign depth front-to-back) from the wall or façade and, when feasible, aligned with other signs on the block. The signs may be plastic and internally illuminated. Maximum surface area will be 32 square feet per each 25 feet of building frontage. Sign must be proportionate to the building frontage. The sign should not hide or obscure significant architectural features of the façade or wall.
- 14-119. POLE MOUNTED/MONUMENT SIGNS. A pole mounted or monument sign may be used as long as it does not interfere with movement on a public way. No pole mounted or monument signs shall have an effective area greater than fifteen (15) square feet and not more than fifteen (15) feet in height.
- 14-120. PROJECTING SIGNS. A projecting sign should be securely attached to the building and located near the business entrance and should be at least eight feet above the sidewalk. If applicable, the sign shall not project from the building beyond the width of an awning/canopy. A projecting sign shall not exceed 16 square feet per side and may be internally illuminated. Other restrictions and approval may be required by other ordinances of the City if the sign overhangs a public way.
- 14-121. WINDOW SIGNS. Signs may be painted on windows provided the sign covers no more than twenty five percent of the glass surface of the window. Window signs may be part of a vinyl sunscreen that is being used as a window covering.

- 14-122. **DIRECTORY SIGNS.** Where several businesses share a building, smaller single panel should be aligned into a single arrangement to form a directory. When possible, the signs combined to make a directory should be of a similar background and lettering.
- 14-123. **INAPPROPRIATE SIGNS.** It is preferred that signs will be in character with the typical signs of the historic period of surrounding buildings. No sign shall move, rotate, flash or change brightness unless the sign already exists and has historic significance.
- 14-124. **SIGN MATERIALS.** It is preferred that signs be made of materials which were commonly used during the time period for the surrounding buildings such as painted wood and metal. No unfinished materials including unpainted wood are permitted.
- 14-125. **SIGN CONTENT.** Colors for signs should be compatible with the color scheme of the building. In general, no more than three colors should be used in a sign. Lettering or typeface should be compatible and in keeping with the historic character of the area. Lettering should not exceed ten inches in height. Historic painted signs which exist now shall be preserved.
- 14-126. **SIGN LIGHTING.** Sign lighting, where appropriate, should be compatible with the historic character of the area and shall originate from an indirect source. The light source shall be directed at the sign from an external shielded lamp. No sign shall be illuminated by non-covered fluorescent lights. The use of neon and/or incandescent bulbs is recommended.
- 14-127. **GENERAL.** Distinctive stylistic features or examples of skilled craftsmanship shall be preserved and maintained in the designated Main Street area. Historic material and significant architectural features shall be preserved unless structurally unstable. Significant features shall not be obscured by sign panels or coverings. Features such as loading docks and metal canopies which relate to commercial history of the building shall be preserved. Original wall material shall be maintained, if possible, and if replacement is necessary, a like material shall be used. Damaged features of an historic building shall be repaired, if feasible. Materials, elements or details which were not part of the original building should not be added. When replacing a feature, the repair should be accomplished in a historically accurate manner and reconstruction should be allowed only when a feature is damaged beyond repair.
- 14-128. **ALTERATIONS.** When an alteration is made to a historic building, the design of the alteration must be compatible with the original design characteristics. All alterations shall preserve the following character and design-defining elements: loading docks, loading bay doorway, man-door, canopy, upper story windows and cornice mouldings.
- 14-129. **GROUND FLOOR.** The historic character of the ground floor of a historic building shall be preserved including all of the elements mentioned in 14-128. Storefront glass shall be maintained in its original form or restored to its original form using historic materials, if possible. If the building was altered earlier and the alteration design has gained some historic significance, the alteration may be preserved if approved by the Main Street Design Committee.

- 14-130. **WINDOWS.** It is important to preserve and maintain significant window openings. The size and shape of original window openings shall be maintained and if windows have been altered, they shall be restored to their original size and shape using appropriate and traditional materials. Modern materials may be substituted as long as they are compatible and replicate historical styles. Only transparent glass shall be used in windows. No plastic or plexiglass shall be permitted. Blocking of window openings is strictly prohibited. New openings may be permitted provided the new opening uses traditional and historic design and approved materials. Reflective and metallic finishes are not permitted. Internal muntins between panes of glass shall not be permitted. "Snap-in" muntins are to be used only if true traditional muntins cannot be installed.
- 14-131. **ENTRYWAYS.** The size and shape of original doors are important historic characteristics that contribute to the integrity of historic buildings. The use of original doors and hardware is encouraged when they can be repaired and restored. The shape of the door should not be altered. If an original door cannot be used, a new door is permitted so long as it does not alter the character of the façade and similar materials are used.
- 14-132. **LOADING DOCK DOORS.** Original doors should be maintained where possible. If the original door is not available, then a replacement of similar design and material should be used. Alternatives to filling the opening must be approved by the Main Street Design Committee.
- 14-133. **FAÇADE MATERIALS.** The craftsmanship and textural qualities of a façade are a key character-defining feature of an historic building. Original façade materials shall be preserved and maintained whenever possible. Replacement or reconstruction of the façade should be with original materials, colors, profiles and textures.
- 14-134. **CORNICES.** When repairing or maintaining cornice details every attempt should be made to preserve the historic details. If a cornice is missing, reconstruction should follow original design and materials. If no evidence is available to determine original design, a replacement should be designed to reflect the design of the historic building or other historic cornices in the area.
- 14-135. **ROOFS.** The original roofline shall be preserved as well as the historic parapet line. Double-pitched roofs are not permitted if the roofline is visible from street fronting the historic building.
- 14-136. **REPAIR TECHNIQUES.** All historic elements of buildings should be maintained to preserve the integrity of the building. When cleaning a surface or historic element, use the least aggressive method possible to avoid damage. Primary building materials that have deteriorated should be repaired by patching, piecing in, consolidating or otherwise reinforcing the original material if at all possible. If masonry has been previously painted, repainting is preferred to removal of paint when damage to the surface will result from removal. Brick that was not painted historically should remain unpainted. Painting of brick will be permitted only if the brick is mismatched or so deteriorated that it cannot withstand weather. Original mortar, when in good condition, shall be preserved. Mortar joints should be replaced

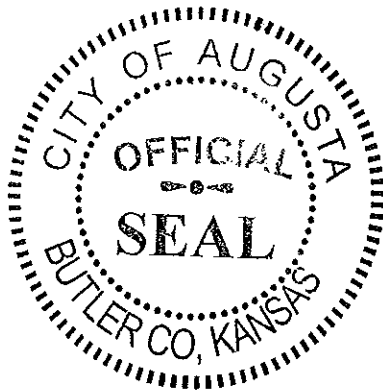
only if there is considerable mortar missing or a moisture problem is present and threatens the joint.

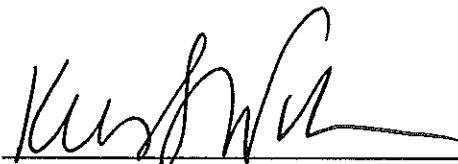
- 14-137. ADDITIONS TO HISTORIC BUILDINGS. An addition to a historic building shall be compatible in scale, mass and design form to the building to which it is being added. An addition to the front of a building is prohibited. Additions are allowed to the side and rear of the building if the design and materials are approved by the Main Street Design Committee. A rooftop addition should be set back substantially from the front of the building to preserve the perception of the historic scale of the building.
- 14-138. CANOPIES/AWNINGS. Canopies/awnings shall reflect historic character and shall be fabricated of modern cloth material, may have a fixed metal frame, or a historic flexible frame that can be rolled in or out. Projection shall be a minimum of 2' and a maximum of 8'.
- 14-139. HISTORIC COLORS. Historic colors – All building exterior paint colors and awning colors should be based on historic colors . Proposed paint schemes for building exteriors shall be presented to the Main Street Design Committee for review and approval. The proposal will be evaluated using the following criteria:
- A. Is the building visually consistent on all sides?
 - B. Do the color(s) tie the building elements together (details, signs, facades, etc.)?
 - C. Are the color palettes and paint schemes on adjoining buildings compatible?
 - D. Do the color palettes and paint schemes avoid bright primary colors or very dark colors?

SECTION 4. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the Governing Body of the City of Augusta, Kansas, on this 3rd day of June, 2013.

(SEAL)





Kristey Williams, Mayor

ATTEST:



Erica Jones, City Clerk